United States District Court

Middle District of Alabama

UNITED STATES OF AMERICA

٧.

TERRANCE DURR

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 1:96CR00115-0

Thomas D. Motley THE DEFENDANT: **Defendant's Attorney** pleaded guilty to count(s) 1 of the Indictment. pleaded noto contendere to count(s) which was accepted by the court. was found guilty on count(s) after a plea of not guilty. **Date Offense** Count Nature of Offense Concluded Number(s) Title & Section 1 Conspiracy to Possess with Intent to Distribute 06/05/1996 21 U.S.C. § 846 Cocaine Base and 06/05/1996 21 U.S.C. § 841 (a)(1) The defendant is sentenced as provided in pages 2 through __6_ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The defendant has been found not guilty on count(s) are dismissed on the motion of the United States. Count(s) reamining against defendant IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. 11/26/1996 Defendant's Soc. Sec. No.: -1781 Date of Imposition of Judgment Defendant's Date of Birth: Defendant's USM No.: GOVERNMENT Defendant's Residence Address: EXHIBIT 701 Crimson Court Myron H. Thompson, Chief Judge AL 36303 Dothan United States District County: A True Copy Name & Title of Judicial Officer Certified to Defendant's Mailing Address: Clerk, U.S. District Court, Middle District of Alabama 701 Crimson Court 12/3/56 AL36303 Dothan

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 2 of 21 AO 245B (Rev. 3/95) Sheet 2 - Imprisonment TERRANCE DURR **DEFENDANT**: CASE NUMBER: 1:96CR00115-001 IMPRISONMENT The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 151 month(s) The court makes the following recommendations to the Bureau of Prisons: The defendant is remanded to the custody of the United States Marshal. The defendant shall surrender to the United States Marshal for this district: a.m./p.m. on ______. as notified by the United States Marshal. The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: before 2 p.m. on as notified by the United States Marshal. as notified by the Probation or Pretrial Services Office. RETURN I have executed this judgment as follows: Defendant delivered on _____to with a certified copy of this judgment. UNITED STATES MARSHAL

Deputy U.S. Marshal

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 3 of 21 AO 245B (Rev. 3/95) Sheet 3 - Supervised Release Judgment-Pass 3 of TERRANCE DURR **DEFENDANT:** 1:96CR00115-001 CASE NUMBER: SUPERVISED RELEASE Upon release from imprisonment, the defendant shall be on supervised release for a term of _____5 year(s)____. The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons. The defendant shall not commit another federal, state, or local crime. The defendant shall not illegally possess a controlled substance. For offenses committed on or after September 13, 1994: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer. The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.) The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.) If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below). See Special Conditions of Supervision - Sheet 3.01

STANDARD CONDITIONS OF SUPERVISION

the defendant shall not leave the judicial district without the permission of the court or probation officer;

the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;

the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;

4) the defendant shall support his or her dependents and meet other family responsibilities;

- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer ten days prior to any change in residence or employment;

the defendant shall refrain from excessive use of alcohol;

- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;

10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;

11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;

12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency

without the permission of the court;

13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 4 of 21

AO 245B (Rev. 3/95) Sheet 3 - Supervised Release

DEFENDANT:

TERRANCE DURR

CASE NUMBER:

1:96CR00115-001

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall participate in a drug treatment program if determined necessary by the probation officer.

Cas	se 4:11-cv-00038-CDL	Document	38-3 Filed 0	6/26/12	Page 5 of 21	
AO 245B (Rev. 3/95) Sheet 5	, Part A - Criminal Monetary Penalties			= ==)
	TOTAL NOT DITTE				Judgment-Pay	e <u>4</u> of <u>6</u>
DEFENDANT:	TERRANCE DURR					
CASE NUMBER:	1:96CR00115-001	AL MONE	TABV DENIA	I TIES		
			TARY PENA		ith the schedule	of payments set
The defendant s forth on Sheet 5, Par	shall pay the following total of	criminal moneta	ny penames m ac	Coldanoc W		
ioni on onocco, i a.		ssessment		<u>Fine</u>	Res	<u>stitution</u>
Totals:	\$	100.00	\$	0.00	\$	0.00
If applicable, re	stitution amount ordered pu	irsuant to plea a	greement		\$	
The defendant safter the date of judg penalties for default. The court determined the court	des costs of incarceration at hall pay interest on any fine ment, pursuant to 18 U.S.C and delinquency pursuant to mined that the defendant dest requirement is waived.	of more than \$ 1. § 3612(f). All of the control of	n in the amount on in the amount of 2,500, unless the of the payment of 312(g).	fine is paid i itions on Sh	0000,1 410 5 1110	fifteenth day ly be subject to
The determination offenses community will be entered	tion of restitution is deferred nitted on or after 09/13/1994 after such determination.	RESTITION IN A CASE Droug		s 109A, 110 ded Judgme), 110A and 113 ent in a Criminal	A of Title 18 for Case
☐ The defendant	shall make restitution to the	e following paye	es in the amounts	s listed belov	w.	
if the defendant	t makes a partial payment, on the priority order or percent	each payee sha	II receive an appr	oximately pr	oportional paym Amount of	Percentage of Payment
Name of Payee			Amount of L	<u>oss</u> <u>Rest</u>	itution Ordered	<u>1</u>
		Totals:	\$	\$ 110 110A :	and 113A of Title	– e 18 for offenses

^{**} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994.

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 6 of 21
AO 245B (Rev. 3/95) Sheet 5, Part B - Criminal Monetary Penalties
Judgment-، رفع 5 of 6
DEFENDANT: TERRANCE DURR
CASE NUMBER: 1:96CR00115-001
SCHEDULE OF PAYMENTS
Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5 interest; (6) penalties.
Payment of the total fine and other criminal monetary penalties shall be due as follows:
A 🔀 in full immediately; or
Bimmediately, balance due (in accordance with C, D, or E); or
C not later than; or
in installments to commence day(s) after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation office shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or
in(e.g. equal, weekly, monthly, quarterly) installments of \$ over a period of year(s) to commence day(s) after the date of this judgment.
The National Fine Center will credit the defendant for all payments previously made toward any criminal monetary penalties imposed. Special instructions regarding the payment of criminal monetary penalties: Criminal Monetary Penalties shall be paid to the Clerk, U. S. District Court, P. O. Box 711, Montgomery, Alabama 36101.
The defendant shall pay the cost of prosecution.
The defendant shall forfeit the defendant's interest in the following property to the United States:

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 7 of 21 AO 245B (Rev **/95) Sheet 6 - Statement of Reasons TERRANCE DURR **DEFENDANT:** 1:96CR00115-001 CASE NUMBER: STATEMENT OF REASONS The court adopts the factual findings and guideline application in the presentence report. The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary): Guideline Range Determined by the Court: Total Offense Level: ____35___ Criminal History Category: ____I Imprisonment Range: _______to ______months Supervised Release Range: ____5 to ____5 years Fine Range: \$ _______ to \$ ______ to \$ _______ 4,000,000.00 Fine waived or below the guideline range because of inability to pay. Total Amount of Restitution: \$ ______0.00 Restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweighs the need to provide restitution to any victims, pursuant to 18 U.S.C. § 3663(d). For offenses that require the total amount of loss to be stated, pursuant to Chapters 109A, 110, 110A, and 113A of Title 18, restitution is not ordered because the economic circumstances of the defendant do not allow for the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of a restitution order in the foreseeable future under any reasonable schedule of payments. Partial restitution is ordered for the following reason(s): The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by the application of the guidelines. OR The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): OR The sentence departs from the guideline range: upon motion of the government, as a result of defendant's substantial assistance.

for the following specific reason(s):

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Case 1:96-cr-00115-MHT -VPM Document 182 Filed 05/02/01

AO 245C (Rev. 3/95) Sheet 1 - Amended Judgment in a Criminal Case

(NOTE: Identify Changes with Asterisks (*))

United States District Cour	United	States	District	Cour
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MAY

	Middle Distric	ct of Alabama		CLERK &		
UNITED STATES OF AME	RICA	AMENDED JUDGME	NT IN AND THE	STRICT COURT		
TERRANCE DURR Date of Original Judgment: 11/26/1996		(For Offenses Committed On or After November 1, 1987) Case Number: 1:96CR00115-001				
		Thomas D. Motley	10112-001			
(or Date of Last Amended Judgment) Reason for Amendment:		Defendant's Attorney				
Correction of Sentence on Remand (Fed. R. Crim. P.	35(a))	Modification of Supervision Con	ditions (18 U.S.C. § 3583	(c) or 3583(e))		
Reduction of Sentence for Changed Circumstances (f		Modification of Imposed Term of Compelling Reasons (18 U S.C.	Imprisonment for Extrao § 3582(c)(1))	rdinary and		
Correction of Sentence by Sentencing Court (Fed R. Correction of Sentence for Clerical Mistake (Fed. R. Correction of Sentence for Clerical Mistake (Fed. R. Correction of Sentence for Clerical Mistake (Fed. R. Correction of Sentence by Sentencing Court (Fed. R. Correction of Sentence by Sentence by Sentencing Court (Fed. R. Correction of Sentence by Sentence b		Modification of Imposed Term of to the Sentencing Guidelines (18	f Imprisonment for Retroa	ctive Amendment(s)		
THE DEFENDANT:		Direct Motion to District Court Po		.C § 2255, ation of Restitution Order		
pleaded guilty to count(s) 1 of th	e Indictment.					
pleaded nolo contendere to count(s) which was accepted by the court.)					
was found guilty on count(s) after a plea of not guilty.		<u> </u>				
Title & Section	Nature of Offense		Date Offense <u>Concluded</u>	Count <u>Number(s)</u>		
21 U.S.C. § 846	Conspiracy to Possess Cocaine Base	with Intent to Distribute	06/05/1996	1		
The defendant is sentenced as provious to the Sentencing Reform Act of 1984. The defendant has been found not go Count(s) remaining against defendant IT IS FURTHER ORDERED that the	guilty on count(s)	dismissed on the motion of	of the United State			
any change of name, residence, or mailin judgment are fully paid.	g address until all fine	s, restitution, costs, and sp	ecial assessment	s imposed by this		
Defendant's Soc. Sec. No.:		04/30/1901				
Defendant's Date of Birth: 1973		Date of Imposition of Judgment				
Defendant's USM No.: Defendant's Residence Address:						
701 Crimson Court		Signature of Judicial Officer				
Dothan A	L 36303	MYRON H. THOMPSON	V			
		UNITED STATES DISTR	RICT JUDGE			
Defendant's Mailing Address:		Name & Title of Judicial OfficeTTEST:	A True Copy.			
701 Crimson Court			to <u> </u>	2012		
Dothan A	L 36303	Date BY ON	med Rub	/		
			Deputy (lerk 182		

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 9 of 21 AO 245C (Rev. 3/95) AND THE TOTAL AND CHARGE WITH ASSETS FINE OF THE ASSETS OF THE ASS Judgment-Page 2 of 6 TERRANCE DURR **DEFENDANT**: 1:96CR00115-001 CASE NUMBER: **IMPRISONMENT** The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 🗼 month(s) The term of imprisonment imposed on November 26, 1996, is hereby REDUCED from 151 Months to 98 Months. The court makes the following recommendations to the Bureau of Prisons: The Court recommends that the defendant be allowed to participate in the Intensive Residential Drug Treatment Program. The defendant is remanded to the custody of the United States Marshal. The defendant shall surrender to the United States Marshal for this district: a.m./p.m. on ______. as notified by the United States Marshal. The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: before 2 p.m. on as notified by the United States Marshal. as notified by the Probation or Pretrial Services Office. RETURN I have executed this judgment as follows: Defendant delivered on ______ to ______ , with a certified copy of this judgment.

UNITED STATES MARSHAL

Deputy U.S. Marshal

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 10 of 21

AO 245C (Rev. 3/25) ARS Red J. D. Grand Children M. L. Torold D. Mure Decking and 182 Filed 05/02/01 (NB 729 Red River) Asterisks (*))

Judgment-Page 3 of 6

DEFENDANT:

TERRANCE DURR

CASE NUMBER:

1:96CR00115-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 year(s)

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)



The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

See Special Conditions of Supervision - Sheet 3.01

STANDARD CONDITIONS OF SUPERVISION

the defendant shall not leave the judicial district without the permission of the court or probation officer;

the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first 2) five days of each month;

the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation 3) officer;

the defendant shall support his or her dependents and meet other family responsibilities;

the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training. 5) other acceptable reasons; or

the defendant shall notify the probation officer ten days prior to any change in residence or employment;

6) 7) the defendant shall refrain from excessive use of alcohol;

- 8)
- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered; the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
 the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law
- enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency
- without the permission of the court;
 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 11 of 21

AO 245C (Rev. 3/95) ANS Rue 1 1966 INCH POINT AND STRING TO SHOW THE POINT AND STRING THE POI

DEFENDANT:

DEREK ELLIOTT

CASE NUMBER:

1:96CR00143-001

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall participate in a substance abuse treatment program if determined necessary by the probation officer.

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 12 of 21 . AO 245C (Rev. 3/95) RASENGE: SAGTHERT IN Q E-ITALITAN LIST SAVER NAME D. OFFILM MONTHS REPORTED BY A STREET OF SAME Judgment-Page 4 of **DEFENDANT:** TERRANCE DURR CASE NUMBER: 1:96CR00115-001 CRIMINAL MONETARY PENALTIES The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B. Restitution Assessment Fine 100.00 0.00 \$ 0.00 Totals: If applicable, restitution amount ordered pursuant to plea agreement FINE The above fine includes costs of incarceration and/or supervision in the amount of The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g). The court determined that the defendant does not have the ability to pay interest and it is ordered that: The interest requirement is waived. The interest requirement is modified as follows: RESTITUTION The determination of restitution is deferred in a case brought under Chapters 109A, 110, 110A and 113A of Title 18 for offenses committed on or after 09/13/1994, until . An Amended Judgment in a Criminal Case will be entered after such determination. The defendant shall make restitution to the following payees in the amounts listed below. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. **Priority Order** or ** Total Amount of Percentage of Name of Payee Amount of Loss Restitution Ordered <u>Payment</u> Totals: \$... _____ ** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994.

	4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 13 of 21
Case	ded Judgment In a Criminal Case: Sheet 5, Part B - Criminal Monetary Penalties 1.96-Cr-00115-WHT - VPW DOCUMENT 182 Filed 05/02/01 Page 6 of 7 Judgment-Page5 of
DEFENDANT:	TERRANCE DURR
CASE NUMBER:	1:96CR00115-001
	SCHEDULE OF PAYMENTS
Payments shall t	pe applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution
5) interest; (6) pena	···
Payment of the	e total fine and other criminal monetary penalties shall be due as follows:
•	nediately; or
в = \$	immediately, balance due (in accordance with C, D, or E); or
C not later th	nan; or
D in installm criminal m officer sha appropriat	ents to commence day(s) after the date of this judgment. In the event the entire amount of onetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation all pursue collection of the amount due, and shall request the court to establish a payment schedule if e; or
E inover a per	(e.g. equal, weekly, monthly, quarterly) installments of \$iod of year(s) to commence day(s) after the date of this judgment.
•	regarding the payment of criminal monetary penalties: Penalties shall be paid to the Clerk, U. S. District Court, P. O. Box 711, Montgomery, Alabama 36101.
The defendant	shall pay the cost of prosecution.
	·

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment.

The defendant shall forfeit the defendant's interest in the following property to the United States:

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 14 of 21 AO 245C (Rev. 3/95) Amerided 3/06-refr 100 1.15-MHT STOP M statement 182 Filed 05/02/01 Regge dentify changes with Asterisks (1) Judgment-Page 6 **DEFENDANT:** TERRANCE DURR CASE NUMBER: 1:96CR00115-001 STATEMENT OF REASONS The court adopts the factual findings and guideline application in the presentence report. The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary): **Guideline Range Determined by the Court:** ____35____ Total Offense Level: Criminal History Category: ___I Imprisonment Range: ____168 ___ to ___210 ___ months Supervised Release Range: 5 to 9 years Fine Range: \$ ____20,000.00 ___ to \$ ___4,000,000.00 \nearrow Fine waived or below the guideline range because of inability to pay. Total Amount of Restitution: \$ _____0.00____ Restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweighs the need to provide restitution to any victims, pursuant to 18 U.S.C. § 3663(d). For offenses that require the total amount of loss to be stated, pursuant to Chapters 109A, 110, 110A, and 113A of Title 18, restitution is not ordered because the economic circumstances of the defendant do not allow for the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of a restitution order in the foreseeable future under any reasonable schedule of payments. Partial restitution is ordered for the following reason(s): The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by the application of the guidelines. OR The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

\boxtimes	The	sentence departs from the guideline range:
	X	upon motion of the government, as a result of defendant's substantial assistance
		for the following specific reason(s):

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 15 of 21

AO 245C (Rev. 3/95) Sheet 1 - Amended Judgment in a Criminal Case

(NOTE: Identify Changes with Asterisks (*))

United States District Court

Middle District of Alabama

UNITED STATES OF AME V.	RICA CORRECTE	DAMENDED JUDGMI				
TERRANCE DUR	R	(For Offenses Committee	d On or After Nove	mber 1, 1987)		
		Case Number: 1:96CR	100115-001			
Date of Original Judgment: 11/26/1996 (or Date of Last Amended Judgment)		Thomas D. Motley				
Reason for Amendment:		Defendant's Attorney				
Correction of Sentence on Remand (Fed. R. Crim. P	35(a))	Modification of Supervision Co	nditions (18 U.S.C. § 3563	(c) or 3583(e))		
Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))	Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))				
Correction of Sentence by Sentencing Court (Fed. R.	Cnm. P. 35(c))	Modification of Imposed Term	-	active Amendment(s)		
Correction of Sentence for Clerical Mistake (Fed R	Crim P 36))	to the Sentencing Guidelines (18 U S.C. § 3582(c)(2))			
THE DEFENDANT:		Direct Motion to District Court F	Pursuant to 📋 28 U.S r Modific	i.C. § 2255, cation of Restitution Order		
pleaded guilty to count(s) 1 of t	he Indictment.	·				
pleaded nolo contendere to count(s which was accepted by the court.						
was found guilty on count(s)						
after a plea of not guilty.			Date Offense	Count		
Title & Section	Nature of Offens		Concluded	Number(s)		
21 U.S.C 846	Conspiracy to Posses Cocaine Base	ss with Intent to Distribute	06/05/1996	1		
The defendant is sentenced as provided to the Sentencing Reform Act of 1984. The defendant has been found not Count(s) remaining against defendant	guilty on count(s)					
IT IS FURTHER ORDERED that the any change of name, residence, or mailir judgment are fully paid.	e defendant shall noti	fy the United States Attorne es, restitution, costs, and s	ey for this district w pecial assessment	ithin 30 days of is imposed by this		
Defendant's Soc. Sec. No.:		04/30/2001				
Defendant's Date of Birth:		Date of Imposition of Judgment				
Defendant's USM No.:						
Defendant's Residence Address:						
701 Crimson Court		Signature of Judicial Officer				
Dothan	L 36303	MYRON H. THOMPSO	N	7		
		UNITED STATES DIST	•			
Defendant's Mailing Address:		Name & Title of Judicial Officer				
Defendant's Mailing Address:		ATTE	ST: A True Copy.			
701 Crimson Court		Certif	fied to _ ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	16-2012		
		5/2/200 yierk	, U.S. District Court, e District of Alabama			
Dothan	L 36303	Date /	Xml. 1 D	Ol : A2		
		ى <u>ب</u> 1 تا	Denut	V Clerk		

	4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 16 of 21 (NOTE: Identify Changes with Asterisks (*)) 1:96-cr 00115-MHT VPM Document 183 Filed 05/02/01 Page 2 of 7
Case	rided Judgment in a Criminal ::::::::::::::::::::::::::::::::::::
DEFENDANT:	TERRANCE DURR
CASE NUMBER:	1:96CR00115-001
	IMPRISONMENT
	s hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for
a total term of *	98 month(s)
The term of impriso	nment imposed on November 26, 1996, is hereby REDUCED from 151 Months to 98 Months.
	the filling the same of the same to the Down on a Filling to
\leq	es the following recommendations to the Bureau of Prisons: ommends that the defendant be allowed to participate in the Intensive Residential Drug Treatment Program.
The Court reco	onthe side the desendant be anowed to participate in the intensive xesidential Ding Treatment Frogram.
	is remanded to the custody of the United States Marshal.
2_3	
The defendant	shall surrender to the United States Marshal for this district:
at	a.m./p.m. on
as notifie	d by the United States Marshal.
The defendant	shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
before 2	o.m. on
as notifie	d by the United States Marshal.
as notified	by the Probation or Pretrial Services Office.
	RETURN
have executed this	judgment as follows:
Defendant deliver	red on to
at	, with a certified copy of this judgment.
· ·	
	UNITED STATES MARSHAL
	UNITED STATES WIARSHALL

Ву

Deputy U.S. Marshal

Case 4:11-cv-00038-CDL Document 38-3 Filed 06/26/12 Page 17 of 21 AO 245C (Rev. 3/95) Amended Judgment in a Criminal / :=: Sheet 3 - Supervised Release Case 1:96-cr-00115-MHT - VPM Document 183 Filed 05/02/01 (NOTE: Identify Changes with Asterisks (*)) Judgment-Page

TERRANCE DURR DEFENDANT:

CASE NUMBER:

1:96CR00115-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of year(s)

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

See Special Conditions of Supervision - Sheet 3.01

STANDARD CONDITIONS OF SUPERVISION

the defendant shall not leave the judicial district without the permission of the court or probation officer;

the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month:

the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation 3) officer;

the defendant shall support his or her dependents and meet other family responsibilities;

the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training,

other acceptable reasons; ОГ

6) 7) 8) the defendant shall notify the probation officer ten days prior to any change in residence or employment;

the defendant shall refrain from excessive use of alcohol;

- the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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DEFENDANT:

TERRANCE DURR

CASE NUMBER:

1:96CR00115-001

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall participate in a drug treatment program if determined necessary by the probation officer.

EFENDANT:	TERRANCE 1	DURR				Juagm	ent-Page4 of
ASE NUMBER:	1:96CR00115-0						
7.02 110 MB2.11			MONE	TARY PEN	JÁI TIFS		
The defendan	t shall pay the folk						hedule of payments
		Ass	sessment		<u>Fine</u>	•	Restitution
Totals:		\$	100.00	\$	0.00	\$	0.00
- If applicable	restitution amount	ordered nu	rewant to place	agreement		•	
— ii applicable, l	estitution amount	ordered pur	suam to piea	agreement	• • • • • • • • •	\$	
					•		
a above fine incl	udes costs of incar	rceration an		NE on in the amou	nt of \$		0.00
The defendant	shall pay interest	on any fine o	of more than S	62,500, unless	the fine is pa	id in full befo	ore the fifteenth da
er the date of jud nalties for default	gment, pursuant to and delinquency	o 18 Ú.S.C. pursuant to	§ 3612(f). All 18 U.S.C. § 3	of the payment 612(g).	options on S	Sheet 5, Part	B may be subject
	ermined that the de						
-	est requirement is			,,			
	est requirement is		follows:				
	•						
			RESTIT				
The determina offenses com	tion of restitution is nitted on or after 0	s deferred in 19/13/1994,	า a case broug until	ght under Chap . An Ame	ters 109A, 1 nded Judgm	10, 110A and ent in a Crim	d 113A of Title 18 f ninal Case
will be entered	l after such determ	nination.					
The defendant	shall make restitu	tion to the fo	ollowing paye	es in the amour	nts listed belo	ow.	
If the defendan	t makes a partial p	ayment, ea	ch payee shal	I receive an ap	proximately p	proportional	
cified otherwise i	n the priority order	or percent	age payment (Priority Ord
ne of Payee				** Total Amount of l		Amount of itution Orde	Percentage ered <u>Payme</u> nt
HE OI I GAGE							
ne of t ayee							
ne of Fayee							
ie or rayee							
ie of rayee			Totals: s	i			

DEFENDANT:	96-cr-00115-MHT-VPM Document 183 Filed 05/02/01 Page bull ment-Page5_ of
	TERRANCE DURR
CASE NUMBER:	1:96CR00115-001
	SCHEDULE OF PAYMENTS
	be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution
(5) interest; (6) pena	ailles.
Payment of the	total fine and other criminal monetary penalties shall be due as follows:
A \nearrow in full imm	ediately; or
в = \$	immediately, balance due (in accordance with C, D, or E); or
C not later th	nan; or
D in installmore criminal moofficer shall appropriate	ents to commence day(s) after the date of this judgment. In the event the entire amount of content of supervision, the U.S. probation all pursue collection of the amount due, and shall request the court to establish a payment schedule if e; or
E in over a peri	de.g. equal, weekly, monthly, quarterly) installments of \$ od of year(s) to commence day(s) after the date of this judgment.
	•
The District Co	urt will credit the defendant for all payments previously made toward any criminal monetary penalties impose
luncial incimizations r	regarding the powerest of criminal monotony populities:
•	regarding the payment of criminal monetary penalties:
Criminal Monetary P	enalties shall be paid to the Clerk, U. S. District Court, P. O. Box 711, Montgomery, Alabama 36101.
The defendants	shall nay the cost of prosecution
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
The defendant s	shall pay the cost of prosecution.
 :	shall pay the cost of prosecution. thall forfeit the defendant's interest in the following property to the United States:
 :	
 :	
:	
:	
The defendant s	

DEFENDANT.	TERRANCE DURK
CASE NUMBER	1:96CR00115-001
	STATEMENT OF REASONS
The court a	dopts the factual findings and guideline application in the presentence report.
	OR
The court a necessary):	dopts the factual findings and guideline application in the presentence report except (see attachment, if
Guideline Range	Determined by the Court:
Total Offens	se Level: 35
Criminal His	story Category:
Imprisonme	nt Range: 168 to 210 months
Supervised	Release Range:5 to5 years
Fine Range:	\$ <u>20,000.00</u> to \$ <u>4,000,000.00</u>
∑ Fine	e waived or below the guideline range because of inability to pay.
Total Amour	nt of Restitution: \$
the	stitution is not ordered because the complication and prolongation of the sentencing process resulting from fashioning of a restitution order outweighs the need to provide restitution to any victims, pursuant to 18 i.C. § 3663(d).
113 for t	offenses that require the total amount of loss to be stated, pursuant to Chapters 109A, 110, 110A, and A of Title 18, restitution is not ordered because the economic circumstances of the defendant do not allow the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of estitution order in the foreseeable future under any reasonable schedule of payments.
	tial restitution is ordered for the following reason(s):
	ntence is within the guideline range, that range does not exceed 24 months, and the court finds no reason art from the sentence called for by the application of the guidelines.
·	OR
	ntence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the ag reason(s):
	·
	OR
<i>~</i>	ntence departs fro m the guideline range:
ot Z nb	on motion of the government, as a result of defendant's substantial assistance.
for	the following specific reason(s):
	•

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